

SENATE BILL 3330

By Tate

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, relative to the reporting of certain
incidents in K-12 schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-4301, is amended by deleting the section in its entirety and substituting instead the following:

(a) It is an offense for a teacher or other school employee who knows or should know, by observation or otherwise, that a student has engaged in or is engaging in conduct on school property that constitutes a criminal offense classified as a felony or as a misdemeanor involving bodily injury, violence or the threat of violence to another to fail to report such conduct immediately to the principal of such school.

(b) It is an offense for a principal who receives a report pursuant to subsection (a) to knowingly fail to report such conduct immediately to the municipal or metropolitan police department or sheriff's department having jurisdiction of such school.

(c) The report made to the law enforcement agency shall include, if known, the name and address of the offender, and the name and address of the victim, if any. The report shall also contain a description of the action and whatever additional information is requested by the law enforcement agency.

(d) Each local board of education shall include, as a part of in-service training for teachers and other school employees, instruction on the provisions of this section and examples of the type of conduct that may occur on school property that would require the teacher or school employee to report the conduct pursuant to this section.

(e)

(1) A violation of subsections (a) or (b) is a fine only Class B misdemeanor if the conduct that was not reported constituted a felony and a fine only Class C misdemeanor if the conduct the teacher failed to report constituted a misdemeanor.

(2) In addition to the penalties set out in subdivision (1), a violation of this section shall also subject the teacher to suspension or other appropriate disciplinary action.

SECTION 2. This act shall take effect on July 1, 2008, the public welfare requiring it.